

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

ROBERT SMITH,
Plaintiff,

v.

**CENTRAL MUTUAL INSURANCE
COMPANY, et al.**

Defendants.

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CIVIL ACTION NO.: 4:24-cv-00723-O

**DEFENDANT CENTRAL MUTUAL INSURANCE COMPANY'S
APPENDIX IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT**

Defendant Central Mutual Insurance Company ("Central Mutual") hereby submits its Appendix in Support of its Motion for Summary Judgment as follows:

EXHIBIT	APPENDIX PAGE NO.	DESCRIPTION
A	000001–000007	E-mail correspondence between Plaintiff, Central Mutual, and Plaintiff's insurance agent dated April 5, 2022 ("E-mail re: April 2021 Hail")
B	000008–000012	E-mail correspondence between Plaintiff and Central Mutual dated June 13, 2023 ("E-mail re: June 2023 Hail")
C	000013–000049	Highlighted copy of Roof Inspection Report prepared by Defendant's retained testifying expert, Jordan D. Beckner of Roof Technical Services, Inc. (with attachments and photographs omitted) ("Beckner Report")
D	000050–000063	Central Mutual Insurance Company Photo Sheet dated October 19, 2021 ("Central Mutual Photo Sheet")
E	000064–000066	Excerpts of Central Mutual Insurance Company's Claim Log for Plaintiff's Insurance Claim ("Claim Log Excerpts")

F	000067–000077	E-mail from Plaintiff to Central Mutual Insurance Company with attached estimate and documentation from Veranda Designer Homes (“Veranda Estimate”)
G	000078	Letter dated January 14, 2022, from Central Mutual to Plaintiff, issuing payment (“Def.’s First Payment Ltr.”)
H	000079–000085	E-mail exchange between Plaintiff and Central Mutual Reporting Hail Damage, dated January 28, 2022 (“E-mail First Claiming Hail”)
I	000086–000095	IFC Roofing Estimate, dated March 2, 2022
J	000096–000097	Benchmark Hail History Report dated February 21, 2022 (“Benchmark Hail First Rep.”)
K	000098–000099	Benchmark Hail History Report dated June 2, 2022 (“Benchmark Hail Second Rep.”)
L	000100–000114	Highlighted copy of Donan Engineering Report authored by David Brosig, P.E. (“Brosig Rep.”)
M	000115	The Roof Tile and Slate Company Invoice #36299 for purchase of roofing materials (“RTSC Invoice”)
N	000116–000118	Text Message Exchange between Plaintiff and Copper Nail Roofing Representative (“Copper Nail Text Messages”)
O	000119–000125	Estimate prepared by independent adjusting firm, Team One Adjusting Services, LLC (“IA Est.”)
P	000126–000127	E-mail correspondence from Central Mutual to Plaintiff dated June 20, 2022, regarding Central Mutual’s supplemental payment of Plaintiff’s insurance claim (“Def.’s Second Payment”)
Q	000128–000134	Second and Final Estimate prepared by Gary Pennington with Blackstone Claim Services, Inc. (“Blackstone Est.”).

R	000135–000138	Final Report prepared by Kelby Boehl with Envista Forensic Report (“Boehl Rep.”)
S	000139–000159	Estimate prepared by Kelby Boehl with Envista Forensic (“Envista Est.”)
T	000157–000158	E-mail correspondence between Central Mutual and Plaintiff’s Public Adjuster regarding Central Mutual’s second supplemental payment (“Def.’s Third Payment”)
U	000159–000163	“Preliminary Report” of Plaintiff’s Retained Testifying Gary Treider (with attachments omitted) (“Treider Rep.”)
V	000164–000167	Central Mutual’s Partial Denial Letter, dated January 7, 2024 (“Partial Denial Ptr.”)
W	000168–000182	Plaintiff’s Pre-Suit Demand, dated April 23, 2024, with attached estimate prepared by Plaintiff’s non-retained testifying expert, Erik Larsen (“Pre-Suit Demand”)
X	000183–000225	Expert report prepared by Defendant’s retained testifying expert, Bryan Hash with R.B. Hash & Associates, Inc., dated September 28, 2024 (“Hash Rep.”)
Y	000226–000233	Plaintiff’s Expert Disclosures pursuant to Fed. R. Civ. P. 26(a)(2).
Z	000234–000240	Highlighted Excerpts of deposition of Wyatt Barstow (“Barstow Dep.”)
AA	000241–000262	Highlighted Excerpts of deposition of Plaintiff, Robert Smith (“R. Smith Dep.”)

Respectfully submitted,

BY: /s/ Clinton J. Wolbert
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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document has been served this 6th day of January 2025 to the following in accordance with the Federal Rules of Civil Procedure:

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